

Senate Bill 200  
February 7, 2013  
Presented by Ken McDonald  
Senate Fish and Game Committee

Mr. Chairman and committee members, I am Ken McDonald, Wildlife Division Administrator of the Montana Department of Fish, Wildlife & Parks (FWP). FWP opposes SB 200 as introduced based on a number of concerns. We have discussed these concerns with the sponsor and worked with him on amendments. If the amendments proposed by the sponsor are adopted by the committee, we would support the bill. Additionally, with adoption of the amendments, the significant negative fiscal note will greatly change.

Our primary concern with SB 200 as introduced is that allowing wolves to be shot on private property at any time without a license would constitute a significant change to Montana's statutes and wolf plan, and open the door for a federal status review or litigation against the U.S. Fish and Wildlife Service for not initiating a status review. Both avenues open the door for potential relisting and endless litigation.

However, the sponsor's amendments, if adopted, remedy these concerns. If the Commission can retain oversight over the number of wolves taken by landowners, then the rules allowing landowners to take wolves is not a significant change in Montana's statutes and rules and is within the parameters of Montana's wolf plan. FWP is committed to adopting rules that make it very clear that a landowner may take a wolf on the landowner's property if it is a potential threat to human safety, livestock, or pets. These rules would also require the Commission to coordinate the quota of wolves taken each year by both landowners and hunters and trappers. FWP's Legal staff believes these provisions will ensure adequate regulatory mechanisms remain in place, consistent with Montana's wolf plan, while providing needed flexibility for landowners.

Another major concern with this bill is the monitoring and research effort required in subsection 5 of New Section 1 (page 2, line 3). This would require very costly monitoring and research that isn't necessary to meet the intent of this bill.

However, if the sponsor's amendments strike this section, the cost reflected in the fiscal note is reduced significantly while the primary intent of the bill is still retained.

Finally, we recommend that subsection 2 of Section 1 (page 1, line 21) be deleted as it would have a significant fiscal impact on the wolf license account and FWP's ability to meet statutory requirements for wolf monitoring and management. Funding from the sale of wolf licenses is important to help fund the wolf management program. Per 87-1-625, FWP must allocate at least \$900,000 annually for wolf management. Per 87-1-623, all wolf license revenue is deposited into a wolf management account for use in wolf management. This represents a significant portion of the funding necessary for wolf management, especially since continued federal funding is not a certainty. If we assume that nearly all of the people who currently purchase a wolf license also purchase a big game license, and under this bill they would receive that wolf license at no cost, revenue into the wolf management account would drop to nearly zero.

However, the sponsor's amendments will, if adopted, delete the free wolf license so that FWP will continue to receive the revenues needed wolf management.

In closing, FWP is committed to keeping wolves delisted, effectively managing wolf population numbers and providing landowners with the flexibility to respond to threats within the constraints of the wolf plan and the need to maintain adequate regulatory controls over the harvest of wolves. If the sponsor's amendments are adopted then we believe that SB 200 will help us to achieve these objectives.